

HOUSE BILL 2474

By Holsclaw

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10 and Title 55, Chapter 50, relative to the penalties for certain alcohol and drug-related motor vehicle offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-402, is amended by deleting subdivision (b)(1) and substituting instead the following:

(1)

(A) If a person is convicted of a violation of § 55-10-401, and any of the circumstances described in subdivision (B) are applicable, the person's sentence for the violation of § 55-10-401 shall be enhanced as provided in subdivision (b)(1)(C) and served in addition to any period of incarceration received for the violation of § 55-10-401.

(B) At the time of the violation of § 55-10-401:

(i) The person was accompanied by a child under eighteen (18) years of age;

(ii) The person was accompanied by more than one (1) child under eighteen (18) years of age;

(iii) The person was accompanied by a child under eighteen (18) years of age and the child was not in a child passenger restraint system or wearing a safety belt, depending on the age of the child; or

(iv) The person was accompanied by more than one (1) child under eighteen (18) years of age and more than one (1) child was not in a

child passenger restraint system or wearing a safety belt, depending on the age of the child.

(C)

(a) If subdivision (b)(1)(B)(i) occurred, the person's sentence shall be enhanced by a mandatory minimum period of incarceration of thirty (30) days.

(ii) If subdivision (b)(1)(B)(ii) occurred, the person's sentence shall be enhanced by a mandatory minimum period of incarceration of thirty-five (35) days.

(iii) If subdivision (b)(1)(B)(iii) occurred, the person's sentence shall be enhanced by a mandatory minimum period of incarceration of forty-five (45) days.

(iv) If subdivision (b)(1)(B)(iv) occurred, the person's sentence shall be enhanced by a mandatory minimum period of incarceration of sixty (60) days.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.